



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, वृहस्पतिवार, ९ मार्च, १९८९/१८ फाल्गुन, १९१०

हिमाचल प्रदेश सरकार

गृह विभाग

अधिसूचना

शिमला-२ २, जनवरी, १९८९

संख्या गृह(ए)एफ(१२)५/८७.—हिमाचल प्रदेश के राज्यगाल, भारत के राष्ट्रपति द्वारा प्रब्लापित और, भारत के राजपत्र, असाधारण के भाग II अनुभाग I में तारीख 27 मई, 1988 को प्रकाशित “ग्रायुध (संशोधन) अध्यादेश, 1988 (1988 का ५)” को जनसाधारण की जानकारी के लिए राजपत्र असाधारण, हिमाचल प्रदेश में पुनः प्रकाशित करते हैं।

आदेश द्वारा,

कंवर शमशेर सिंह,
आयुक्त एवं सचिव।

Authoritative English text of this Department Notification No. Home (A)-F (12)-5/87 dated
as required under clause (3) of Article 348 of the Constitution of India:—

**GOVERNMENT OF HIMACHAL PRADESH
HOME DEPARTMENT**

NOTIFICATION

Shimla-171002, the 2nd January, 1989

No. Home (A)-F (12)-5/87.—The Governor, Himachal Pradesh is pleased to re-publish “The Arms (Amendment) Ordinance, 1988 (No. 5 of 1988) promulgated by the President of India and published in the ‘Gazette’ of India, Extra ordinary, Part-II, Section I on 27th May, 1988, in the Rajpatra (Extra ordinary), Himachal Pradesh, for the information of the Public.

By order,
KANWAR SHAMSHER SINGH,
Commissioner-cum-Secretary.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 27th May, 1988/Jaishtha 6, 1910 (Saka)

THE ARMS (AMENDMENT) ORDINANCE, 1988

No. 5 OF 1988

Promulgated by the President in the Thirty-ninth Year of the Republic of India.

An Ordinance further to amend the Arms Act 1959.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Arms (Amendment) Ordinance, 1988.

(2) It shall come into force at once.

2. *Amendment of section 2.*—In section 2 of the Arms Act, 1959 (54 of 1959) (hereinafter referred to as the principal Act) in sub-section (1) —

(i) in clause (b), in sub-clause (i), for the words “and other like missiles”, the words “and other missiles” shall be substituted;

(ii) in clause (h), after the word “shells,”, the word “missiles,” shall be inserted.

3. *Amendment of section 5.*—In sub-section (1) of section 5 of the principal Act, in clause (a), for the word “manufacture”, the words “use, manufacture” shall be substituted.

4. *Amendment of section 7.*—In section 7 of the principal Act, in clause (b), for the word “manufacture”, the words “use, manufacture” shall be substituted.

5. *Amendment of section 25.*—In section 25 of the principal Act,—

(a) in sub-section (1), clause (c) shall be omitted;

(b) sub-section (1A) shall be re-numbered as sub-section (1AAA) thereof, and before sub-section (1AAA) as so re-numbered, the following sub-sections shall be inserted, namely:—

“(1A) Whoever acquires, has in his possession or carries any prohibited arms or prohibited ammunition in contravention of section 7 shall be punishable with imprisonment for a term which shall not be less than five years, but which may extend to ten years and shall also be liable to fine.

(1AA) Whoever manufactures, sells, transfers, converts, repairs, tests or proves, or exposes or offers for sale or transfer or has in his possession for sale, transfer, conversion, repair, test or proof, any prohibited arms or prohibited ammunition in contravention of section 7 shall be punishable with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life and shall also be liable to fine".

6. *Substitution of new section for section 27.*—For section 27 of the principal Act, the following section shall be substituted, namely:—

"27. *Punishment for using arms, etc.*—(1) Whoever uses any arms or ammunition in contravention of section 5 shall be punishable with imprisonment for a term which shall not be less than three years but which may extend to seven years and shall also be liable to fine.

(2) Whoever uses any prohibited arms or prohibited ammunition in contravention of section 7 shall be punishable with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life and shall also be liable to fine.

(3) Whoever uses any prohibited arms or prohibited ammunition or does any act in contravention of section 7 and such use or act results in the death of any other person, shall be punishable with death".

R. VENKATARAMAN,
President.

S. RAMAIAH,
Secretary to the Government of India.

